

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Hyderabad District – Shaikpet Mandal – Transfer of Rights on certain occupations / encroachments of specified categories of unassigned Government lands – Application of Dr. Manhar V.Patel for regularization of encroached Government land an extent of 16557 Square Yards in respect of Premises No. 8-2-686/3, 8-2-686/4 and 8-2-686/5 , Road No.12, Banjara Hills, Shaikpet Village and Mandal, Hyderabad District – Disposed of – Orders - Issued.

Revenue (Assignments.III) Department

G.O. Ms. No. 232

Dated 22.03.2010.

Read the following :-

- (1) G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008.
- (2) Application dated 31.03.2008 (No.3576) of Dr. Manhar Vidyanand Patel (Represented by his duly constituted Attorney D.M. Harish & Co., Advocates, 305-9, Neelkanth Building, 98,Marine Drive, Mumbai.
- (3) Letter No. E/2546/2008, dated 19.01.2009 of Tahsildar Shaikpet Mandal, Hyderabad District.
- (4) Letter No. I2/2899/2008 dated 23.06.2009 of the District Collector – Hyderabad.
- (5) From the Chief Commissioner of Land Administration, Hyderabad Letter No. BB2/40/2010, dated 08.03.2010.
- (6) Hon'ble High Court Order dated 12.9.2008 in W.P. No. 8269 of 2006 filed by Mr. Manhar Patel.
- (7) G.O. Ms. No.249, Revenue (Assn.III) Department, dated 21.2.2009.

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ORDER :-

Dr. Manhar Vidyanand Patel (represented by Mr.Anil Harish, constituted Attorney) has put in an application dated 31.03.2008 (No.3576) second read above to the District Collector Hyderabad requesting for regularization of Government land measuring an extent of 16,557 Square Yards (Ac.3.00 and 2037 Square Yards) in T.S. No.28/1, T.S. No.29, Block 'H', H.Nos. 8-2-686/2, 8-2-686/3, 8-2-686/4 & 5, (Sy. No.129/85) Banjara Hills Hyderabad District on payment of cost as per G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008.

2. In his letter 3rd read above the Mandal Revenue Officer Shaikpet Mandal in the Annexure-A inter-alia indicated that total extent of land applied is 16,557 Square Yards (13843.80 Square Meters) situated in Sy. No. 102/1 & 403, T.S. No.28, 29 and 1, Block 'H' and 'J', Ward No. 9 & 12, Hakeempet and Shaikpet Villages, Shaikpet Mandal, GHMC Area of Hyderabad District. The applicant has produced copies of sale deeds (1) 1812/65, dated 26.7.1965 (2) 1814/65, dated 26.7.1965 (3) 1813/65 dated 26.7.1965 and (4) 2000/65, dated 18.8.1965.

3. The Tahsildar Shaikpet has further reported that the land applied for regularization with Premises No. 8-2-686/3, 8-2-686/4, 8-2-686/5 to an extent of 16,557 Square Yards at Road No.12, Banjara Hills, but there is no premises since the land is vacant on ground and the applicant is not having possession. The representatives of the applicant have shown the land, which is under dispute in between Yamuna Nagar Society, Greater Banjara Society and VEnkateswara Society and having multiple claims of the said Societies.

4. The District Collector in his letter dated 23.06.2009 4th read above addressed to the Chief Commissioner of Land Administration, has informed that the above said was inspected by the District Level Committee and the application was placed before the District Level Committee held on 25.05.2009 and the Committee after taking into consideration the Writ

contd.2

Petition filed by the applicant and has decided to reject the application for regularization on the ground that there are multiple claims and disputes with Yamunanagar Co-operative Housing Society, Greater Banjara Housing Society and Sri Venkateswara Housing Society and requested for placing the same before the State Level Committee headed by the Chief Commissioner of Land Administration.

5. The CCLA in his letter 5th read above has submitted that on receipt of the proposal of the District Collector – Hyderabad, has placed the recommendations of the District Collector Hyderabad for regularization of Government land before the Regularization Committee constituted vide G.O. Ms. No.370, Revenue (Assn.POT) Department, dated 19.3.2008.

6. The Committee in its meeting held on 19.02.2010 have discussed the proposal and recommended for rejection for regularization with Premises No. 8-2-686/3, 8-2-686/4, 8-2-686/5 to an extent of 16,557 Square Yards at Road No.12, Banjara Hills of Shaikpet Village and Mandal of GHMC Area, hence, the Chief Commissioner of Land Administration has requested the Government for necessary orders in the matter.

7. In the reference 6th read above the Hon'ble High Court in its Order dated 12.9.2008 in W.P. No.8269 of 2006 while dismissing the W.P. since the petitioner has requested for withdrawal of the W.P. has given a direction interalia as follows.

"Considering the submission made by the petitioner, he is permitted to withdraw the writ petition, and the same is accordingly dismissed as withdrawn. However, the withdrawal of the Writ Petition, does not bar the respondents from considering petitioner's application No.3576, dated 31.03.2008 for regularization of the lands in question, in accordance with the guidelines issued by the Government in G.O. Ms. No.166, dated 16.2.2008, as expeditiously as possible".

8. In the reference 7th read above, after obtaining a report from the District Collector and after a discussion in detail in a High Level Committee meeting Government in G.O. Ms. No.249, Revenue (Assn.III) Department, dated 21.2.2009 inter-alia issued an Order regularizing the Government land an extent of Ac. 3.00 and 2037 Square Yards (Ac.3.17 gts) in favour of Sri K.Somaiah and 16 others under the provisions of G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008. Since the District Collector Hyderabad in his letter dated 6.2.2009 has reported that Dr. Manhar Vidyanand Patel is not in physical possession of the land.

9. However, one Sri K.Vijaya Kumar and others have filed a W.P. No.3862 of 2009 against the Government and others challenging the orders issued in G.O. Ms. No.249, Revenue (Assn.III) Department, dated 21.2.2009 in respect of regularization in favour of Greater Banjara Hills Co-operative Housing Society and the Hon'ble High Court granted status-quo orders and as such the G.O. Ms. No.249, dated 21.2.2009 is not implemented as on date.

10. Government have examined the matter in the light of the policy guidelines issued in G.O. Ms. No.166, Revenue (Assn.POT) Department, dated 16.2.2008 and also keeping in view the recommendations of the District Level Committee as well as State Level Regularization Committee and observe that there is no such premises in which the land applied for regularization with Premises No.8-2-686/3, 8-2-686/4, 8-2-686/5 to an extent of 16,557 Square yards at Road No.12, Banjara Hills, and the applicant Dr. Manhar Vidyanand Patel is not in physical possession of the land. Further, the land applied by the applicant has been regularized vide G.O. Ms. No.249, Revenue (Assn.III) Department dated 21.2.2009 which is not implemented as on date due to pendency of Interim Orders in W.P. No. 3862 of 2009. Taking into the above facts, Government hereby reject the application of Dr. Manhar Vidyanand Patel (represented by Mr.Anil Harish, constituted Attorney) for regularization of Government land measuring an extent of 16,557 Square Yards (Ac.3.00 and 2037 Square Yards).

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11. The Chief Commissioner of Land Administration, AP Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration,
A.P. Hyderabad.
(with original record of District Collector Hyderabad.
Contains file I2/2899/2008 3 Pages N.F. and
217 pages current file)
The District Collector – Hyderabad.

Copy to:

The Applicant
(thro' Collr.-Hyd)
SF / SC

/ Forwarded :: By Order /

SECTION OFFICER